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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,510	01/15/2004	Jeffrey Rogers	B-4757NP 621648-9	7058
36716	7590	07/27/2007		
LADAS & PARRY 5670 WILSHIRE BOULEVARD, SUITE 2100 LOS ANGELES, CA 90036-5679			EXAMINER NGUYEN, DUNG T	
			ART UNIT 2828	PAPER NUMBER
			MAIL DATE 07/27/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/759,510

**Applicant(s)**

ROGERS ET AL.

**Examiner**

Dung (Michael) T. Nguyen

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7, 9-13, 15, 16, 18-28, 30-34 and 39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-13, 15-16, 18-28, 30-34, and 39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## OFFICE ACTION

The indicated allowed claims in the OA on 05/25/07 are withdrawn due to the newly found prior art.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-7, 9-13, 15-16, 18-28, 30-34, and 39 are rejected under 35 U.S.C. 102(a) as being anticipated by Waarts et al. (6411323).

Claims 1-6, 10-13, 15, 20, 23-28, 32-34, 39, Fig.1 shows

a plurality of optical fibers 14, each optical fiber having a first reflector 13 disposed at a first end and having a laser active region comprising laser active material;

one or more laser pump devices for applying pump energy to the laser active region of each optical fiber of the plurality of optical fibers; and

a combiner 18 coupled to a second end of each of the optical fibers, the combiner combining light directed from the plurality of optical fibers and producing an optical output, wherein said combiner is configured to couple the light directed from each fiber so that the light from one fiber interacts with at least one other fiber to pull an intrinsic frequency distribution of the light of the at least one other fiber (as pointed in the instant application configuration on page 8, lines 22-27, Waarts Fig.1 does disclose the same configuration and therefore has the same functions and characteristics as mentioned in the instant application)

wherein the optical fibers have lengths within 10% of each other (col.10, l.20-29).

Claims 7, 19, Fig.25 shows a coupler 253 coupling each fiber of the plurality of fibers; and a second reflector 254 receiving an optical output from said coupler.

Claims 9, 18, 30, Fig.25 shows the output of the coupler is directed to said second reflector by an optical element (optical fiber).

Claims 16, 22, 31, Fig.13 shows the plurality of optical fibers are coupled at a second coupler 171 disposed between the first reflector and the laser active region of each of the plurality of optical fibers.

Claim 21, col.4, l.41-65 discloses said first coupler is formed by stretching and fusing the optical fibers and the degree of coupling between the fibers is controlled by the amount of stretching and the lengths of the fibers in the stretched and fused region.

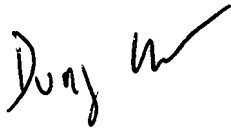
### **Communication Information**

**Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung (Michael) T Nguyen whose telephone number is (571) 272-1949. The examiner can normally be reached on 8:30 - 17:00.**

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Min Harvey can be reached on (571) 272-1835. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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**Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-3329.**

A handwritten signature in black ink, appearing to read "Dung" followed by a stylized flourish.

**Michael Dung Nguyen**  
**Primary Examiner**

7/18/07